

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

OSCAR REYES,

No. C 08-01356 SBA (PR)

Plaintiff,

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

v.

MICHAEL HENNESSEY, et al.,

Defendants.

Plaintiff, a state prisoner, filed the present pro se prisoner complaint under 42 U.S.C. § 1983. On May 16, 2008, mail directed to Plaintiff by the Court was returned to the Clerk of the Court with a notation that it was undeliverable. To date, Plaintiff has not updated his address with the Court or submitted any further pleadings in this case.

Pursuant to Northern District Local Rule 3-11 a party proceeding pro se whose address changes while an action is pending must promptly file a notice of change of address specifying the new address. See L.R. 3-11(a). The court may, without prejudice, dismiss a complaint when: (1) mail directed to the pro se party by the court has been returned to the court as not deliverable, and (2) the court fails to receive within sixty days of this return a written communication from the pro se party indicating a current address. See L.R. 3-11(b).

More than sixty days have passed since the mail directed to Plaintiff by the Court was returned as undeliverable. The Court has not received a notice from Plaintiff of a new address. Accordingly, the complaint is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern District Local Rules. The Clerk of the Court shall enter judgment in accordance with this Order.

IT IS SO ORDERED.

DATED: 7/22/08


SAUNDRA BROWN ARMSTRONG
United States District Judge

1
2 UNITED STATES DISTRICT COURT
3 FOR THE
4 NORTHERN DISTRICT OF CALIFORNIA
5

6
7 OSCAR REYES,

Case Number: CV08-01356 SBA

8 Plaintiff,

CERTIFICATE OF SERVICE

9 v.

10 MICHAEL HENNESSEY et al,

11 Defendant.
12 _____/

13 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
14 Court, Northern District of California.

15 That on July 23, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said
16 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
17 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
18 located in the Clerk's office.

19 Oscar Reyes 2344229
20 San Francisco County Jail
850 Bryant Street
San Francisco, CA 94103

21 Dated: July 23, 2008

22 Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk
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